S.B. Criminal Misc. II Bail Application No.3529/2006

Date : 17.08.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. Vijay Purohit for the applicant.

Mr. Vishnu Kachhawaha, Public Prosecutor.

Mr. Shambhoo Singh for complainant.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and learned counsel for the complainant and carefully gone through the impugned order.

The contention of learned counsel for the applicant is that in the instant case charge-sheet has already been filed and the applicant is in jail for more than two months. He submits that one co-accused Narain Singh has already been granted bail by learned Sessions Judge who is said to have inflicted injury on the person of Arjun Singh, who sustained grievous injury on head. The allegation against the present applicant is that by use of Axe he inflicted injury on the person

of Udai Singh. He submits that injuries alleged to have been inflicted on the person of Udai Singh are not grievous. In last, he submits that trial will take time, therefore, the applicant may be enlarged on bail.

On the other hand, learned Public Prosecutor and learned counsel for the complainant have seriously opposed the bail application.

I have considered the submissions made before me and carefully gone through the material available on record.

Taking into consideration the overall facts and circumstances of the present case, I deem it just and proper to enlarge the accused applicant on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicant Ummaid Singh son of Bhur singh shall be released on bail in FIR No.57/2006 P.S. Siwana, District Barmer, provided he

executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

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